

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

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DEC 28 2004

Federal Communications Commission
Office of Secretary

In the Matter of)	
)	
Amendment of the Commission Rules)	WT Docket No. 04-344
Regarding Maritime Automatic Identification)	Rule Making - 10821
Systems)	
)	
Petition for Rule Making filed by)	
National Telecommunications and)	
Information Administrations)	
)	
Emergency Petition for Declaratory Ruling)	
filed by MariTel, Inc.)	

TO: The Commission

COMMENTS

Nauticast Shiffsnavigation System, AG ("Nauticast"), by its attorneys, hereby submits its comments with regard to that part of the above-captioned proceeding concerning the amendment of the Commission's Rules regarding Maritime Automatic Identification Systems ("AIS"). In support thereof, the following is shown.

The above-referenced Memorandum Opinion and Order and Notice of Proposed Rulemaking, FCC 04-207, released October 15, 2004, recites that the Commission has "tentatively agreed" that the public interest would be served by designating Channels 87B and 88B for exclusive AIS use in the nine maritime VPCSA's. The Commission requests comments from the public regarding the total amount of VPC spectrum to be set aside, and plans to address whether and under what terms the designation of Channels 87B and 88B for AIS would be sound domestic policy.

Nauticast was incorporated in 2000 for the purpose of developing AIS. It has developed and marketed an AIS system and has sold and delivered a significant number of units. Furthermore, it has an active research and development program which seeks to expand the uses for its AIS technology. Nauticast has, therefore, a significant interest in this proceeding. It has filed comments with the Commission from time to time that clearly relate to matters raised in that part of the Memorandum Opinion and Order, supra, concerning the public interest benefits of AIS. Accordingly, Nauticast incorporates by reference the following documents filed at the Commission and asks that the Commission consider these filings as comments in the captioned rulemaking:

1. December 1, 2004 "Comments of Nauticast Schiffsnavigationssysteme, AG" in response to MariTel, Inc. Petition for Declaratory Ruling (Public Notice DA 03-3575, RM-10821, released November 7, 2003).
2. December 11, 2003 "Comments of Nauticast Schiffsnavigationssysteme AG" in response to Commission Public Notice, DA 03-3669, released November 19, 2003.
3. February 27, 2004 "Comments of Nauticast Schiffsnavigationssysteme AG" in response to Commission Public Notice, DA 04-387, RM-10321, released February 13, 2004.

In general, these Nauticast filings endorsed the manner in which the Commission had decided that AIS equipment could be certified and urged the Commission to allow AIS operation nationwide on Channels 87B and 88B in order to protect homeland security and to conform to international agreement.

Respectfully submitted,

NAUTICAST SHIFFSNAVIGATION SYSTEM,
AG

By: 

Bruce A. Eisen
Its Attorney

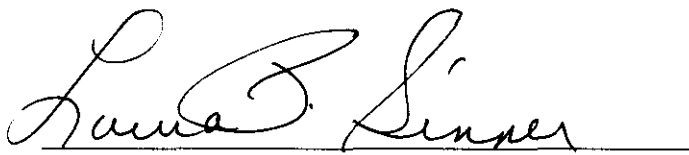
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December 28, 2004

CERTIFICATE OF SERVICE

I, Laura P. Sinner, a secretary in the law firm of Kaye Scholer LLP, do hereby certify that on this 28th day of December, 2004, a copy of the foregoing "Comments of Nauticast Shiffsnavigation System, AG" was hand delivered to:

Jeffrey Tobias
Wireless Telecommunications Bureau
445 - 12th Street, SW
Room 3-A432
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Laura P. Sinner